

## **REMARKS**

Claims 18 to 32 are now pending. Claims 24 to 28 have been amended. Additions to the claims are denoted by underlining, deletions to the claims are denoted by strikeout. No new matter has been added.

Applicants respectfully request reconsideration of the present application in view of this response.

### ***Allowed Claims***

Applicants thank the Examiner for allowing claims 18 to 23 and 29 to 32.

### ***35 U.S.C. § 103(a) – Chin and Newman references***

Claims 24 to 28 were rejected under 35 U.S.C. § 103(a) as unpatentable by U.S. Patent No. 5,729,588 to Chin et al. ("Chin reference") in view of U.S. Patent No. 5,987,633 to Newman et al. ("Newman reference").

Applicants respectfully submit that the Chin and Newman references, taken alone or in combination, do not render obvious the claimed inventions in amended claims 24 to 28.

Claims 24 to 28 have been amended in view of allowed claim 18, and in efforts to further clarify the claimed invention in claim 24 to 28.

In earlier communications, the Chin reference and the Newman reference have been discussed at length. In view of the amendments to claim 24 to 28, Applicants respectfully submit that the Chin and Newman references do not teach or describe all of the elements in the manner claimed. Instead, the Chin reference purportedly concerns a system having a call generation element 20, an information retrieval element 40, and a processing element 50, which performs the function of tracking records generated for telephone calls and processing the records such that fields forming the records are analyzed to determine if data contained therein is correct. The Chin reference states usages of SAGE / Ameritech boxes to generate a test call, and from the generated call a signal is passed through the switching system, or switch, of the systems under test, and from the switch, or plurality of switches, information regarding the telephone call in question is generated and retrieved by copying the information through the use of data trapping, rather than redirecting records from a billing system to a structure for performing analysis. Col. 3, lines 52-58. See also, Chin reference, Fig. 1, references 50 and 60, and accompanying text in its specification.

The Chin reference does not involve a system evaluator, as in amended claim 24, which includes an interface having a device for recognizing interrelated communications data records which are assigned to a test communications connection, and a device for comparing the contents of a connection-related reference data record produced by the test unit to the contents of each communications data record of interrelated communications data records produced by the digital switching exchange with regard to the test communications connection, where the test unit includes a device for producing the connection-related

reference data record from corresponding connection-related communications elements and a device for transmitting the connection-related communications elements to the digital switching exchange, and where the digital switching exchange established the test communications connection in response to receiving the connection-related communications elements. The claimed invention provides that both the structure and the content of the communications data may be validated.

The Newman reference, taken in combination with the Chin reference, does not cure the deficiencies of the Chin reference. The Newman reference purportedly concerns a system software solution for testing various network entities which save data to a common database in a telecommunications network. The Newman reference refers to utilizing a server to correlate database data from the network under test and compare it to anticipated test case results for billing purposes, where the controller creating a billing template comprising expected billing information for each test call, compares the billing template with the data from a billing verification system reflecting the actual billing results from the network. The Newman reference further refers to capturing timepoints associated with “critical events” which are time information with milestones in the progress of call processing. However, the Newman reference (alone or in combination with the Chin reference) does not teach or describe the specific system evaluator as in amended claim 24, which includes a device for comparing the contents of a connection-related reference data record produced by the test unit to the contents of each communications data record of interrelated communications data records produced by the digital switching exchange with regard to the test communications connection, where the test unit includes a device for producing the connection-related reference data record from corresponding connection-related communications elements and a device for transmitting the connection-related communications elements to the digital switching exchange, and where the digital switching exchange established the test communications connection in response to receiving the connection-related communications elements.

Further, as Applicants have indicated, Applicants do not believe it is proper to combine the Chin and Newman references together simply because one would want a benefit of capturing time of stamped events of all devices in a telephone call. In fact, such a system is more complicated, and there is nothing in the Chin reference (or the Newman reference for that matter) to indicate need for such a system. In fact, for example, the Chin reference is concerned with providing correct data, not timestamps of transmissions. It is not obvious that a person reading the Chin reference would be motivated to combine the techniques of the Chin and Newman references in the exact way and having the same features required by claim 24 of the present invention.

Accordingly, Applicants respectfully submit that claim 24 is allowable because the Chin and Newman references in combination do not describe each and every feature of claim

24. Withdrawal of the rejection of claim 24 (now amended) and its dependent claim 25 to 28 under 35 U.S.C. § 103(a) over the Chin reference in view of the Newman reference is respectfully requested.

Accordingly, it is respectfully submitted that all claims 18 to 32 are allowable for at least the foregoing reasons.

### **CONCLUSION**

In view of all of the above, it is believed that the rejections of claims 24 to 28 should be withdrawn, and that all claims 18 to 32 be deemed allowable. It is therefore respectfully requested that the present application issue as early as possible.

If a telephone interview would assist in furtherance of allowance of the present application, the Examiner is encouraged to contact the undersigned at the number below.

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Respectfully submitted,

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